

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

**JACQUELYN BURTON**, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

**AMNJ ENTERPRISES, INC. d/b/a DOMINO'S  
PIZZA** and **JOEL BURTON**,

Defendants.

CASE NO. 19-CV-00164

**DECLARATION OF NANCY A JOHNSON  
REGARDING THE NOTICE PLAN IN  
SUPPORT OF FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: July 22, 2021

Time: 10:00 a.m.

I, Nancy A. Johnson, being first duly sworn, hereby depose and state:

1. I am the President of CAC Services Group, LLC ("CAC"), located at 6420 Flying Cloud Dr, Suite 101, Eden Prairie, MN. I am over eighteen (18) years of age and I am not a party to the above-captioned action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. CAC provides a comprehensive range of class and collective action claims administration services. CAC has extensive experience in data processing and acting as third-party administrator in class and collective actions throughout the country.

3. CAC's class and collective action administration services include: coordination of all notice requirements; design of direct-mail notice, publication of summary notice, emailing notice packets and claim forms; coordination with the U.S. Postal Service; database management; website hosting and management; claims processing; fund management and distribution; and preparation of reports describing notice programs and claims processing.

4. CAC was retained to act, and appointed by this Court to act, as the Claims Administrator for this action and to date has provided the following services for the above-captioned action:

- a. **Providing CAFA notices to the appropriate federal and state government officials, as defined in the Settlement Agreement**
- b. **Develop and execute a notice program targeting potential Settlement Class members, as defined in the Settlement Agreement:**

**Settlement Class Member Definition:**

*“All employees who have worked for Defendant AMNJ Enterprises, Inc. as delivery drivers at any time from January 31, 2017, to April 1, 2021.”*

5. On April 27, 2020, pursuant to 28 U.S.C. 1715(a), CAC mailed CAFA notices to the appropriate federal and state government officials by Certified First Class Mail. On April 14, 2021, pursuant to 28 U.S.C. 1715(a), CAC mailed supplemental CAFA notices to the appropriate federal and state government officials by Certified First Class Mail. A copy of the original CAFA notices and supplemental CAFA notices are attached hereto as Exhibit “1”. To date, there were no responses from any of the Attorneys General who were issued the CAFA notices. To the best of my knowledge, Defendants have complied with CAFA and have satisfied all their obligations thereunder.

6. In regard to the notice program, CAC implemented the following notice plan:

- a. Direct notice by first-class mail to all Settlement Class Members whose names and addresses were provided by Defendants.

7. To provide direct and timely notice by first-class mail, CAC performed the following:

- a. On April 12, 2021, CAC received from Defendants an electronic list of nine hundred twenty-eight (928) persons identified as potential Settlement Class members. Defendants provided the following information for each class member: name; last known address; telephone number; social security number; and mileage driven.
- b. The Settlement Class Member List was updated using the National Change of Address system (NCOA), which updates the addresses for all persons who had moved in the previous four years and who had filed a change of address with the U.S. Postal Service;

- c. On April 16, 2021, the Notice of Proposed Class Action Settlement and Claim form was printed, personalized, and inserted into a #10 window envelope (the “Notice Packet”). The Notice Packet was provided to the Settlement Class Members in the English language. The Notice Packet is attached hereto as Exhibit “2”;
  - d. On April 16, 2021, nine hundred twenty-eight (928) Notice Packets, comporting with each of the individuals listed on the Settlement Class Member List, were mailed, using first-class postage, at the U.S. Post Office in Eden Prairie, Minnesota;
8. In support of the direct mail Notice Packet, CAC had regular telephone communications with Class Members calling CAC. In general, the purpose of these communications was to:
- a. Transcribe and fulfill the Notice Packet as requested;
    - i. As of the date of this Declaration, one (1) address correction was received by telephone or correspondence by CAC.
  - b. Answer Settlement Class Member questions about the Notice Packet.
9. As of the date of this Declaration, one (1) Notice Packet has been returned to CAC by the U.S. Postal Service with a forwarding address. The Settlement Class Member List was subsequently updated with the new address and a Notice Packet was re-mailed to said Settlement Class Members at the new addresses.
10. As of the date of this Declaration, one hundred eighty-six (186) Notice Packets have been returned to CAC by the U.S. Postal Service without forwarding addresses. For these Notices Packets, an address search was completed resulting in one hundred six (106) new addresses. The Settlement Class Member List was subsequently updated with the new addresses and a Notice Packet was re-mailed to these Settlement Class Members at each of the new addresses. As a result of a good faith effort to re-mail return for non-delivery mail, eighty (80) Notice Packets remain classified as undeliverable.
11. As of the date of this Declaration, CAC has received one hundred seventy (170) Claim Forms. A total of one hundred seventy (170) Settlement Class members (18.32% of the Settlement Class) have filed valid Claim Forms.
12. As of the date of this Declaration, CAC has received zero (0) Requests for Exclusion.

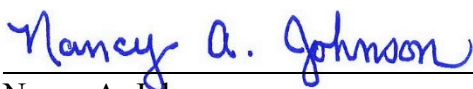
13. As of the date of this Declaration, CAC has received zero (0) Objections.

14. It is my opinion that the above-described notice program is adequate and reasonable under the circumstances. The notice program is consistent with standards previously employed by CAC in notification programs designed to reach known members of settlement groups or classes. Additionally, the implemented notice program is fully compliant with the notice requirements established by Wisconsin and federal law, as well as the parties' Settlement Agreement of this Court.

15. Finally, if the settlement is approved by the Court, CAC will make all payment distributions from the Gross Settlement Sum in accordance with terms of the Settlement Agreement or as is otherwise ordered by the Court.

16. As of the date of this Declaration, Settlement administration costs are estimated to be \$12,879.02. Actual costs shall not exceed \$15,000.00. A copy of CAC's proposed fees and expenses is attached hereto as Exhibit "3".

I declare under penalty of perjury under the laws of the State of Wisconsin that the foregoing is true and correct. Executed this 21<sup>st</sup> day of June, 2021.

  
\_\_\_\_\_  
Nancy A. Johnson

# EXHIBIT 1:

- CAFA Notices
- Supplemental CAFA Notices



fisherphillips.com

**Chicago**

10 South Wacker Drive  
Suite 3450  
Chicago, IL 60606

(312) 346-8061 Tel  
(312) 346-3179 Fax

**Writer's Direct Dial:**

312-580-7810

**Writer's E-mail:**

jrice@fisherphillips.com

**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

Colorado Attorney General  
Phil Weiser  
Office of the Attorney General  
1300 Broadway, 10th Fl  
Denver, CO 80203

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Colorado Attorney General:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

---

<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

**Fisher & Phillips LLP**

Atlanta • Baltimore • Bethesda • Boston • Charlotte • Chicago • Cleveland • Columbia • Columbus • Dallas • Denver • Detroit • Fort Lauderdale • Gulfport  
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Phoenix • Pittsburgh • Portland • Sacramento • San Diego • San Francisco • Seattle • Tampa • Washington, DC

3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 860 class members through February 15, 2020. Pursuant to the settlement agreement, Defendants will be supplementing the initial class listing with a second list covering the period from February 16, 2020 through the date of preliminary approval of the settlement—which has not yet occurred. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

<u>State</u>	<u>Potential Number of Class Members</u>	<u>Potential Proportionate Share of Settlement</u>
Colorado	1	\$80.98
Illinois	45	\$16,075.73
Indiana	1	\$322.04
North Carolina	1	\$223.68
Wisconsin	812	\$423,297.57

There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal, and there are no judicial opinions relating to the matters detailed in this notice.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP



fisherphillips.com

**Chicago**

10 South Wacker Drive  
Suite 3450  
Chicago, IL 60606

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**Writer's E-mail:**

jrice@fisherphillips.com

**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

Illinois Attorney General  
Kwame Raoul  
Consumer Fraud Bureau  
500 S Second St  
Springfield, IL 62701

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Illinois Attorney General:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

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<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

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3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

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If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP



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**Chicago**

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Suite 3450  
Chicago, IL 60606

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**Writer's Direct Dial:**

312-580-7810

**Writer's E-mail:**

jrice@fisherphillips.com

**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

Indiana Attorney General  
Curtis Hill Jr.  
Office of the Attorney General  
302 W. Washington St, 5th FL  
Indianapolis, IN 46204

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Indiana Attorney General:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

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<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

**Fisher & Phillips LLP**

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3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 860 class members through February 15, 2020. Pursuant to the settlement agreement, Defendants will be supplementing the initial class listing with a second list covering the period from February 16, 2020 through the date of preliminary approval of the settlement—which has not yet occurred. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal, and there are no judicial opinions relating to the matters detailed in this notice.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP



fisherphillips.com

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**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

North Carolina Attorney General  
Josh Stein  
Consumer Protection Division  
Mail Service Center 9001  
Raleigh, NC 27699

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear North Carolina Attorney General:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

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<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

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3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 860 class members through February 15, 2020. Pursuant to the settlement agreement, Defendants will be supplementing the initial class listing with a second list covering the period from February 16, 2020 through the date of preliminary approval of the settlement—which has not yet occurred. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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Wisconsin	812	\$423,297.57

There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal, and there are no judicial opinions relating to the matters detailed in this notice.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP



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**Writer's E-mail:**

jrice@fisherphillips.com

**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

Wisconsin Attorney General  
Josh Kaul  
Consumer Protection  
114 East State Capitol  
Madison, WI 53702

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Wisconsin Attorney General:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

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<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

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3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 860 class members through February 15, 2020. Pursuant to the settlement agreement, Defendants will be supplementing the initial class listing with a second list covering the period from February 16, 2020 through the date of preliminary approval of the settlement—which has not yet occurred. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal, and there are no judicial opinions relating to the matters detailed in this notice.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP



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**CONFIDENTIAL**

April 27, 2020

**BY CERTIFIED MAIL**

Attorney General for the United States  
William Barr  
Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Attorney General for the United States:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement<sup>1</sup>;

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<sup>1</sup> Defendants filed an unopposed motion to file the settlement and release agreement and class notice and claim form under seal, on which the court has yet to rule. To the extent the court grants the request to seal, Defendants request that you treat the enclosed settlement documents as confidential as possible.

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3. Class Notice and Claim Form; and
4. Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 860 class members through February 15, 2020. Pursuant to the settlement agreement, Defendants will be supplementing the initial class listing with a second list covering the period from February 16, 2020 through the date of preliminary approval of the settlement—which has not yet occurred. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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Colorado	1	\$80.98
Illinois	45	\$16,075.73
Indiana	1	\$322.04
North Carolina	1	\$223.68
Wisconsin	812	\$423,297.57

There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal, and there are no judicial opinions relating to the matters detailed in this notice.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

**CONFIDENTIAL**



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**Chicago**

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**Writer's Direct Dial:**

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jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

Colorado Attorney General  
Phil Weiser  
Office of the Attorney General  
1300 Broadway, 10th Fl  
Denver, CO 80203

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Phil Weiser:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement;
3. Class Notice and Claim Form;
4. Joint Motion for Preliminary Approval; and

**Fisher & Phillips LLP**

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Phoenix • Pittsburgh • Portland • Sacramento • San Diego • San Francisco • Seattle • Tampa • Washington, DC

5. Amended Joint Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 928 class members through April 1, 2021. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

<u>State</u>	<u>Potential Number of Class Members</u>	<u>Potential Proportionate Share of Settlement</u>
Colorado	2	\$159.48
Florida	1	\$70.84
Illinois	50	\$16,320.49
Michigan	2	\$139.01
North Carolina	1	\$202.55
Wisconsin	872	\$423,107.63

There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal. Pursuant to the Court's Order Granting Preliminary Approval, the Final Approval Hearing will be held at 10:00 a.m. on July 22, 2021, in Courtroom 225 of the United States Federal Building and Courthouse, located at 517 E. Wisconsin Avenue, Milwaukee, Wisconsin 53202.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

**CONFIDENTIAL**



fisherphillips.com

**Chicago**

10 South Wacker Drive  
Suite 3450  
Chicago, IL 60606

(312) 346-8061 Tel  
(312) 346-3179 Fax

**Writer's Direct Dial:**

312-580-7810

**Writer's E-mail:**

jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

Attorney General for the United States  
Jeffrey A. Rosen  
Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Jeffrey A. Rosen:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

As part of this notice, enclosed please find a CD containing copies of the following documents related to this action:

1. The Complaint;
2. Settlement and Release Agreement;
3. Class Notice and Claim Form;
4. Joint Motion for Preliminary Approval; and

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Phoenix • Pittsburgh • Portland • Sacramento • San Diego • San Francisco • Seattle • Tampa • Washington, DC

5. Amended Joint Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 928 class members through April 1, 2021. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

<b><u>State</u></b>	<b><u>Potential Number of Class Members</u></b>	<b><u>Potential Proportionate Share of Settlement</u></b>
Colorado	2	\$159.48
Florida	1	\$70.84
Illinois	50	\$16,320.49
Michigan	2	\$139.01
North Carolina	1	\$202.55
Wisconsin	872	\$423,107.63

There are no contemporaneous agreements between class counsel and counsel for Defendants in conjunction with the proposed settlement, other than the enclosed settlement agreement. At this time, there has been no final judgment or notice of dismissal. Pursuant to the Court's Order Granting Preliminary Approval, the Final Approval Hearing will be held at 10:00 a.m. on July 22, 2021, in Courtroom 225 of the United States Federal Building and Courthouse, located at 517 E. Wisconsin Avenue, Milwaukee, Wisconsin 53202.

If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

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April 14, 2021

**BY CERTIFIED MAIL**

Florida Attorney General  
Ashley Moody  
Office of the Attorney General  
The Capitol, PL 01  
Tallahassee, FL 32399

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Ashley Moody:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

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5. Amended Joint Motion for Preliminary Approval

Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 928 class members through April 1, 2021. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

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**Writer's E-mail:**

jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

Illinois Attorney General  
Kwame Raoul  
Consumer Fraud Bureau  
500 S Second St  
Springfield, IL 62701

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Kwame Raoul:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

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Pursuant to 28 U.S.C. § 1715(b)(7)(A), Defendants are including a spreadsheet with the names and State of last known residence for the 928 class members through April 1, 2021. Based on last known addresses as reflected in Defendants' records, Defendants estimate that the number of class members residing in each state and their estimated proportionate share of the settlement are as follows:

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Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

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jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

Michigan Attorney General  
Dana Messel  
Consumer Protection Division  
525 W Ottawa St  
Lansing, MI 48933

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Dana Messel:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

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Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

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jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

North Carolina Attorney General  
Josh Stein  
Consumer Protection Division  
Mail Service Center 9001  
Raleigh, NC 27699

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Josh Stein:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

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Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

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jrice@fisherphillips.com

April 14, 2021

**BY CERTIFIED MAIL**

Wisconsin Attorney General  
Josh Kaul  
Consumer Protection  
114 East State Capitol  
Madison, WI 53702

RE: *Jacquelyn Burton, individually and on behalf of similarly situated persons, v. AMNJ Enterprises, Inc., et al.*  
**United States District Court, Eastern District of Wisconsin**  
**Case No. 2:19-cv-164**

Dear Josh Kaul:

This firm represents Defendants AMNJ Enterprises, Inc., and Joel Burton, in connection with the above-referenced action. This notice is provided on behalf of Defendants pursuant to the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of a proposed class action settlement. **This notice supplements the prior notice sent on April 27, 2020 with additional information regarding the settlement.** Please take notice of the following items of information and enclosed materials, which are provided to you pursuant to 28 U.S.C. § 1715(b).

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If you have questions about this notice, the settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Very truly yours,

/s/ Joel W. Rice

Joel W. Rice  
For FISHER & PHILLIPS LLP

## EXHIBIT 2:

- Notice of Class Action Settlement
- Claim Form



Jacquelyn Burton, individually and  
on behalf of all others similarly situated,  
  
Plaintiff,  
  
v.  
  
AMNJ Enterprises, Inc. d/b/a  
Domino's Pizza, et al.,  
  
Defendants.

AMNJ Enterprises, Inc. d/b/a )  
Domino's Pizza, et al., )  
 )  
Defendants. )  
 )

1

Labor Standards Act, and preliminarily approved the settlement. The class and collective that the Court has conditionally certified, for settlement purposes only, under WI Stat. § 109.01 *et seq.* and the Fair Labor Standards Act, respectively (the “Class”), is defined as follows:

**All employees who have worked for Defendant AMNJ Enterprises, Inc. as delivery drivers at any time from January 31, 2017, to April 1, 2021.**

**If the Court finally approves the settlement, the settlement will bind all members of the Class who have not excluded themselves from the Class.** (You will have the opportunity to exclude yourself from the Class pursuant to the procedure described below.) The Court has not yet made a final determination that the Lawsuit could be litigated as a class action. If the Court does not approve this settlement, the preliminary class certification will have no effect or precedential value in any subsequent proceedings in the Lawsuit or in any other litigation.

### **III. CLASS REPRESENTATIVE AND CLASS COUNSEL**

The Court has appointed Plaintiff Jacquelyn Burton as a Class Representative to represent the Class. The Court has appointed the following attorneys as Class Counsel:

J. Forester  
David Matthew Haynie  
Forester Haynie PLLC  
400 N. St. Paul Street, Suite 700  
Dallas, Texas 75201  
(214) 210-2100

Joe P. Leniski Jr.  
J. Gerard Stranch  
Branstetter, Stranch & Jennings, PLLC  
223 Rosa Parks Avenue, Suite 200  
Nashville, Tennessee 37203  
(615) 254-8801

### **IV. SETTLEMENT FUNDS AVAILABLE**

The proposed settlement obligates Defendants to pay a settlement amount of \$690,000.00 (referred to in the Settlement Agreement as the “Maximum Settlement Amount”) that is “all inclusive.” It includes, but is not limited to: alleged unpaid expense pay, alleged unpaid minimum wage pay, any and all associated penalties, interest, costs, attorneys’ fees, claims administration costs, a service award to the Class Representative, and all other settlement-related payments and costs. Under no condition will Defendants’ liability for payments exceed the Maximum Settlement Amount. The members of the Class will be responsible for their own tax obligations, if any.

### **V. SETTLEMENT ADMINISTRATOR**

The settlement process will be administered by CAC Services Group, LLC, an experienced class action claims administrator.

### **VI. THE CLAIMS PROCESS**

Enclosed with this Notice you will find a Claim Form. You are receiving this paperwork because you are entitled to receive compensation under the Settlement Agreement, and because you have rights to exclude yourself from the Settlement if you choose to do so, and/or object to the Settlement if you choose to do so.

**IF YOU CHOOSE TO SUBMIT A CLAIM FORM, THE CLAIM FORM MUST BE COMPLETED, SIGNED UNDER PENALTY OF PERJURY, AND RETURNED TO THE CLAIMS ADMINISTRATOR BY MAIL, FAX, OR EMAIL AT THE ADDRESSES/NUMBER**

**SET FORTH BELOW WITHIN 50 DAYS OF THE DATE THAT THIS NOTICE AND THE CLAIM FORM WERE MAILED TO YOU.**

**THEREFORE, FOR YOUR CLAIM TO BE CONSIDERED TIMELY, YOUR CLAIM FORM MUST BE POSTMARKED OR RECEIVED NO LATER THAN JUNE 5, 2021. CLAIMS POSTMARKED OR RECEIVED AFTER THAT DATE WILL BE DEEMED UNTIMELY AND YOU WILL NOT RECEIVE YOUR SETTLEMENT SHARE AND WILL STILL BE BOUND BY THE SETTLEMENT.**

Claim Forms must be mailed, faxed, or emailed to:

CAC Services Group, LLC  
6420 Flying Cloud Drive, Suite 101  
Eden Prairie, Minnesota 55344  
Telephone: 866-602-2260  
Fax: 888-495-9746  
Email: [info@cacsg.com](mailto:info@cacsg.com)

Please follow the directions on the enclosed Claim Form and Release carefully. If you require claims administration assistance, please contact the class administrator above. As used in this Notice and the Settlement Agreement, a member of the Class who submits a valid, timely claim, and executes the enclosed Claim Form and Release, is called an “Authorized Claimant.” Participation in this settlement will not affect your employment status with AMNJ, and the law protects individuals who participate in these settlements from retaliation.

## **VII. RELEASE AND WAIVER**

If the Court fully and finally approves the settlement, then all members of the Class who do not opt-out shall be bound by the following release:

Except for the obligations imposed by this Settlement, all Class members who do not exclude themselves from this Settlement shall release and forever discharge AMNJ Enterprises, Inc., Joel Burton, and each of their former and present predecessors, successors, parents, subsidiaries, franchisors, insurers, and affiliates, whatever their current or former legal names or legal entity status, and each of their respective current and former owners, officers, directors, employees, partners, shareholders, and agents, and any other successors, assigns, or legal representatives (“Released Parties”), from any and all claims, rights, demands, liabilities and causes of action of every nature and description, whether known or unknown, arising from January 31, 2017, through the date the Court grants preliminary approval (“Release Period”), arising out of, based on, or encompassed by: (a) the claims that were asserted in any civil complaint filed in this case on behalf of any Settlement Class Member; (b) claims that relate to or arise out of the reimbursement of expenses, under-reimbursement of expenses, or failure to reimburse expenses of any kind; (c) claims that relate to or arise out of the payment of the applicable minimum wage, under-payment of the applicable minimum wage, or failure to pay the applicable minimum wage; or (d) WI Stat. § 109.01 *et seq.*, or any similar state, municipal or local laws. Without limiting the generality of the foregoing, the claim preclusion effect of this Settlement, and the judgment thereon, for res judicata purposes shall be co-extensive with this release of claims (collectively, the “Settlement Class Members’ Released Claims”).

In addition to the foregoing and in exchange for additional consideration, the Authorized Claimants also agree to release the Released Parties from federal claims under the

FLSA during the Release Period and the Class Representative agrees to a general release of claims as set forth in the Settlement Agreement.

### **VIII. ATTORNEYS' FEES AND COSTS/CLAIMS ADMINISTRATION COSTS**

It is customary for courts to award to class counsel attorneys' fees based upon a percentage of the potential maximum settlement amount for the benefit of a class. In this case, Class Counsel has requested an award not to exceed one-third of the Maximum Settlement Amount for attorneys' fees (\$230,000), plus up to \$15,000.00 for costs and other expenses they have incurred on behalf of the Class to be paid from the Maximum Settlement Amount (the "Attorney Fee/Cost Award") for a total amount not to exceed \$245,000.00. Additionally, all costs incurred in administering the settlement shall be paid from the Maximum Settlement Amount in an anticipated amount not to exceed \$10,500.00.

### **IX. SERVICE AWARDS**

Plaintiff will request the Court to approve a service award totaling \$5,000.00 to be paid to the Class Representative who performed services in assisting with this Lawsuit and settlement from the Maximum Settlement Amount (the "Service Award"). This award is in addition to the payment to the Class Representative of her share of the settlement as a member of the Class and compensates her for the time, effort and risk in pursuing this Lawsuit on behalf of the Class. In additional consideration for this payment, the Class Representative will agree to a separate general release in favor of Defendants.

### **X. CALCULATION OF PAYMENTS**

The total amount of the "Potential Settlement Payments" available for distribution to the Class shall equal the Maximum Settlement Amount minus the total of (i) the Attorney Fee/Cost Award, (ii) CAC's administrator fees, and (iii) the Service Award ("Net Settlement Amount").

The amount available for distribution to each member of the Class shall be calculated as follows:

1. Potential Settlement Payments: Each Settlement Class Member's "Potential Settlement Payment" will be calculated in the following manner:

- a. For each Settlement Class Member who does not otherwise object or exclude himself or herself from the Class, he or she will receive a payment for his or her participation in the WI Stat. § 109.01 *et seq.* class anticipated to be at least \$50.00.
- b. For each Settlement Class Member who submits a timely and complete Claim Form, he or she will also receive a *pro rata* share of the settlement funds for the Fair Labor Standards Act collective based upon:
  - (1) The total number of his or her recorded miles driven for Defendant between January 31, 2017, and April 1, 2021 shall be his/her "Individual Miles." The aggregate of all Individual Miles among all Settlement Class Members shall be the "Class Miles."
  - (2) Each Settlement Class Member's Individual Miles shall be divided by the Class Miles to obtain his/her "Payment Ratio."

- (3) Each Settlement Class Member's Payment Ratio shall be multiplied by the Net Settlement Amount to arrive at his/her Potential Settlement Payment.

2. Claimed Settlement Amounts; Contingent Fund; Unclaimed Amounts: The total Potential Settlement Payments claimed by Settlement Class Members shall be the "Claimed Settlement Amount." If the Claimed Settlement Amount exceeds 35% of the Net Settlement Fund, Defendants shall have the option of voiding the settlement in their sole discretion or to pay these amounts out of a separately-negotiated \$25,000 Contingent Fund. Any funds remaining 45 days after distribution of the settlement funds will be added to the Contingent Fund for such contingencies as late Claimants. Any portion of the Maximum Settlement Amount available for Potential Settlement Payments that is not distributed to the Class by October 1, 2021 shall be retained by Defendants.

3. Taxes: Settlement payments will be treated as an expense reimbursement, so no taxes will be deducted. However, Authorized Claimants who receive their Potential Settlement Payment will be responsible for reporting and paying any federal, state and/or local taxes that may be due on these payments, if any. You should consult with your own tax advisor regarding your unique tax situation upon receipt of the funds.

4. Payment of Settlement Funds Will Not Be Considered By Defendants As Having Any Effect on Any Employee Benefit Plan and Similar Plans: The payment to any member of the Class as provided for in this Settlement shall not be considered by Defendants to form the basis for additional contributions to, additional benefits under, or any other additional entitlements under any employee benefit plan, employment policy, or stock option plan of or sponsored by Defendants or any of their present or former parent corporations or affiliates or any jointly trusted benefit plans.

5. Non-disclosure: If you decide to submit a claim and join this Lawsuit, or you cash or otherwise negotiate a settlement check, you shall not discuss, refer to or communicate to third parties or any other person or entity, or in any way publicize, disclose, distribute, discuss or disseminate the settlement to anyone other than your spouse, tax advisor, or legal counsel, who shall also agree to be bound by these non-disclosure obligations.

## **XI. FINAL APPROVAL HEARING**

A hearing (the "Final Approval Hearing") has been scheduled on July 22, 2021 at 10:00 AM, before the Court, in Courtroom 225 of the United States Federal Building and Courthouse, located at 517 E. Wisconsin Avenue, Milwaukee, Wisconsin 53202, at which time the Court will determine: (1) whether the proposed settlement should be approved as fair, reasonable and adequate to members of the Class; (2) whether the application of Class Counsel for an award of attorneys' fees and expenses should be approved and in what amount; and (3) whether the application for service award for the Class Representative should be approved and in what amount; and (4) whether a proposed Final Approval Order should be entered, dismissing the Lawsuit with prejudice.

### **You Are Not Required to Attend The Final Approval Hearing.**

You are welcome to attend the Final Approval Hearing at your own expense. If you do not exclude yourself from the settlement, you may request permission to speak at the Final Approval Hearing or you may hire your own attorney at your own expense to speak at the Final Approval Hearing. If you want to speak at the Final Approval Hearing, and you do not exclude yourself from the settlement, you must request permission from the Court. To do so, send a letter to the Court (at the address set forth

above in this Section of this Notice) with a copy to Class Counsel and Defendants' Counsel (at the addresses set forth in Section XIII of this Notice) no later than 30 days after mailing date, requesting permission to speak at the Final Approval Hearing. Such letter should be signed and should contain a brief statement of the position that you wish to put before the Court at the Final Approval Hearing and the basis for that position. The Court may, or may not, grant the request.

## **XII. RIGHT TO BE EXCLUDED FROM THE SETTLEMENT**

You may exclude yourself from the Class. If you wish to be excluded from this Settlement, you will not receive any share of the settlement and you will retain all rights you may otherwise have against Defendants. To be excluded, you must submit an Exclusion Letter to the settlement claims administrator within thirty (30) days of this mailing, by May 16, 2021. To be valid, the Exclusion Letter must contain the following statement:

I wish to opt out of the settlement of the case, *Burton v. AMNJ Enterprises, Inc. et al.* I understand that by requesting to be excluded from the settlement, I will receive no money from the settlement funds created in accordance with the settlement agreement in this case. I understand that if I am excluded from the class monetary settlement, I may bring a separate action. I understand that in any separate lawsuit, I may receive nothing or less than I would have received if I had filed a claim for money under the settlement agreement in this case. If you wish to exclude yourself, you must send the above-described letter to:

CAC Services Group, LLC  
6420 Flying Cloud Drive, Suite 101  
Eden Prairie, Minnesota 55344  
Telephone: 866-602-2260  
Fax: 888-495-9746  
Email: info@cacsg.com

To be timely, your opt-out statement must be postmarked or sent no later than May 16, 2021, and your Exclusion Letter must be signed and notarized.

**Any member of the Class (which includes you) who does not submit a valid and timely Exclusion Letter shall be bound by all the terms and conditions of the settlement, including, without limitation, the releases provided for in the Settlement Agreement and any Final Judgment entered by the Court, whether or not that member of the Class submits a Claim Form and Release.**

## **XIII. RIGHT TO OBJECT TO SETTLEMENT**

You have the right to object to the settlement. However, you may not do so if you have opted to exclude yourself as a member of the Class (as provided in the preceding Section XII). If you have not excluded yourself as a member of the Class and you wish to object to the settlement, you must file with the Court and serve on Class Counsel and Defendants' counsel (at the addresses set forth below), no later than May 16, 2021, a written statement indicating your name, address and telephone number; stating your objection to the settlement and the basis for your objection, along with any and all documents that support your objection. No member of the Class shall be entitled to be heard at the Final Approval Hearing or to object to the settlement, and no written objections or briefs submitted by any member of the Class shall be received or considered by the Court at the Final Approval Hearing, unless written notice of the member of the Class' intention to appear at the Final Approval Hearing, and copies of any written objections or briefs, have been filed with the Court and served on Class Counsel and Defendants' counsel on or before May 16, 2021, as follows:

Class Counsel:

J. Forester  
David Matthew Haynie  
Forester Haynie PLLC  
400 N. St. Paul Street, Suite 700  
Dallas, Texas 75201  
(214) 210-2100

Joe P. Leniski Jr.  
J. Gerard Stranch  
Branstetter, Stranch & Jennings, PLLC  
223 Rosa Parks Avenue, Suite 200  
Nashville, Tennessee 37203  
(615) 254-8801

Defendants' Counsel:

Joel W. Rice  
Franklin Z. Wolf  
Fisher & Phillips LLP  
10 S. Wacker Drive, Suite 3450  
Chicago, Illinois 60606  
(312) 346-8061

Members of the Class who fail to file and serve timely written objections in the manner specified above shall be deemed to have waived any objections to the settlement and shall forever be foreclosed from making any objection (whether by appeal or otherwise) to the settlement, or any aspect of the settlement, including, without limitation, the fairness, reasonableness or adequacy of the proposed settlement, or any award of attorneys' fees or reimbursement of costs and expenses.

#### **XIV. SUMMARY OF OPTIONS**

As a member of the Class, you have the following options:

1. **Remain a Member of the Class.** If you do not exclude yourself from the Class, you will remain a member of the Class, you will be bound by the Settlement Agreement, you will be eligible to receive a cash payment, and you will give up the claims that are released by the Settlement Agreement. If you also sign and submit the attached Claim Form on or before [50 days after mailing date], you will receive a *pro rata* share of the settlement funds based on the negotiated settlement formula described in Section X, and you will be subject to the terms of the release of claims described herein. If you do nothing and do not submit a Claim Form, you will receive a payment as a result of the settlement and based on the formula described in Section X for the WI Stat. § 109.01 *et seq.* class, but you give up any rights to sue Defendants separately about the same legal claims made in the Lawsuit.

2. **Object to the Settlement.** You are entitled to submit a timely written objection to the settlement. If the Settlement Agreement is approved after your objection, you will remain a member of the Class and will give up the claims that are released by the Settlement Agreement. If you timely submit a valid, completed Claim Form and Release, you will be eligible to receive a cash payment.

3. **Exclude Yourself From the Class.** You are entitled to exclude yourself from the Class by timely submitting a valid, completed, signed Exclusion Letter. If you exclude yourself from the Class, you will not receive any cash payment or any other benefits from the settlement. You will retain all of the claims that will be released by members of the Class.

#### **XV. REMINDER OF IMPORTANT SETTLEMENT DATES AND DEADLINES**

The following are important dates and deadlines under the proposed settlement:

<u>Objection Deadline:</u>	May 16, 2021
<u>Exclusion Deadline:</u>	May 16, 2021
<u>Proof of Claim Deadline:</u>	June 5, 2021
<u>Final Approval Hearing:</u>	July 22, 2021

## **XVI. ADDITIONAL INFORMATION**

For more detailed information concerning the matters involved in the Lawsuit, please refer to the pleadings, the Orders entered in the Lawsuit, and to the other papers filed in the Lawsuit, which may be inspected at the Office of the Clerk of the U.S. District Court for the Eastern District of Wisconsin during regular business hours.

Any questions concerning the matters contained in this Notice may be directed to Class Counsel (at the address set forth above in Section III of this Notice). You may also seek the advice and counsel of your own attorney, at your own expense, if you desire.

**Do Not Call or Write the Court to Obtain Copies of Documents  
Or To Ask Questions About The Settlement.**

### **INSTRUCTIONS REGARDING CLAIM FORM AND RELEASE**

YOU MUST COMPLETE, SIGN, AND MAIL (OR FAX OR EMAIL) THIS FORM (“CLAIM FORM”) BY FIRST-CLASS U.S. MAIL, POSTAGE PREPAID (OR FACSIMILE OR EMAIL) TO THE CLAIMS ADMINISTRATOR, CAC SERVICES GROUP, LLC ON OR BEFORE MAY 16, 2021, ADDRESSED AS FOLLOWS, IN ORDER TO SHARE IN THE PAYMENT FROM THE SETTLEMENT.

MAIL OR FAX TO:

CAC Services Group, LLC 6420 Flying Cloud Drive, Suite 101 Eden Prairie, Minnesota 55344 Telephone: 866-602-2260 Fax: 888-495-9746 Email: <a href="mailto:info@cacsg.com">info@cacsg.com</a>
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1. Please complete and sign this Claim Form and Release and mail, e-mail or fax it to the addresses or facsimile number listed above in order to be eligible for the Fair Labor Standards Act collective, *pro rata* payment from the Settlement.
2. If your address has changed, please provide your new address to the claims administrator who may be reached at the number and address provided above.



**CLAIM FORM AND RELEASE**

***JACQUELYN BURTON V. AMNJ ENTERPRISES, INC. ET AL.***  
**Case No. 19-cv-164**

<ClaimID> <Barcode>  
<FirstName> <LastName>  
<Address>  
<City> <State> <Zip>

I agree to be bound by the Settlement Agreement negotiated by Class Counsel in this case. I irrevocably and unconditionally waive, release, extinguish, acquit, and forever discharge any claim I may or might have against Defendants or any of the Released Parties during the Released Period (as defined by the Settlement Agreement) from any and all claims, rights, demands, liabilities, and causes of action of every nature and description, whether known or unknown, for the limitations period dating from January 31, 2017, through the date the Court grants preliminary approval (“Release Period”), which arise out of, are based on, or encompass facts asserted in the action, including claims that arise under the FLSA, Wisconsin wage and hour law, or any similar federal, state, municipal, or local laws, such as mileage reimbursement claims; meal and rest break claims; and dual jobs claims. Without limiting the generality of the foregoing, the claim preclusion effect of this Settlement, and the judgment thereon, for *res judicata* purposes shall be co-extensive with this release of claims (collectively, the “Released Claims”).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Last 4 Digits of SSN  
(for identification purposes only)

\_\_\_\_\_  
Current Address (if changed since notice)

## EXHIBIT 3:

- CAC's Proposed Fees & Expenses

## PROPOSED FEES & EXPENSES

RE: **Burton v. AMNJ**  
 Proposal Dated: **June 21, 2021**  
 CAC SERVICES GROUP - CONFIDENTIAL

### Key Assumptions

<b>Class Size - Class Members</b>		100.00%	928	Persons
<b>Notification</b>				
Direct Mail	(% of Total Class)	100.00%	928	Pieces
<b>Returned Mail Processing</b>				
Returned for Non-Delivery (RFND)	(% of Total Class)	20.00%	186	Pieces
Address Change Post Office (ACPO)	(% of Total Class)	0.11%	1	Pieces
Address Change Correspondence (ACCO)	(% of Total Class)	0.11%	2	Pieces
Exclusion / Opt Out	(% of Total Class)	0.00%	0	Pieces
<b>Claim Form Processing</b>				
Claim Forms Received	(% of Total Class)	18.32%	170	Pieces
<b>Distribution</b>				
Payments - Valid Claims	(% of Total Class - Opt Outs)	100.00%	928	Pieces

Program Requirements	Estimated Quantity	Units	Per Unit	Cost	Estimated Total
<b>Program Set-Up &amp; Reporting</b>					<b>\$ 350.00</b>
Class Member Database	1	N/A	\$ 350.00	\$ 350.00	
<b>Direct Mail Notification</b>					<b>\$ 3,013.00</b>
CAFA Notice	1	N/A	\$ 400.00	\$ 400.00	
Supplemental CAFA Notice	1	N/A	\$ 425.00	\$ 425.00	
NCOA / CASS / LACS Processing	1	N/A	\$ 100.00	\$ 100.00	
Notice Package	928	Pcs	\$ 2.250	\$ 2,088.00	
<i>The notice package includes the following:</i>					
► 50# 8.5" x 11" Notice (8 pages)		► #9 BRM Envelope			
► 50# 8.5" x 11" Claim Form (1 pages)		► #10 Window Envelope			
<b>Returned Mail Processing</b>					<b>\$ 554.93</b>
<b>Notices Returned for Non-Delivery (RFND)</b>					
Process RFND Mail	186	Pcs	\$ 0.250	\$ 46.50	
Skip Trace RFND Mail	186	Pcs	\$ 0.750	\$ 139.50	
Re-print Notice Package	106	Pcs	\$ 3.375	\$ 357.75	
<i>Estimate: 57% of RFND is traceable</i>					
<b>Notices returned as Address Change Post Office (ACPO)</b>					
Process ACPO Mail	1	Pcs	\$ 0.350	\$ 0.35	
Re-print Notice Package	1	Pcs	\$ 3.375	\$ 3.38	
<b>Address Change Correspondence (ACCO)</b>					
Process ACPO Mail	2	Pcs	\$ 0.350	\$ 0.70	
Re-print Notice Package	2	Pcs	\$ 3.375	\$ 6.75	
<b>Receive Request for Exclusion</b>					
Process Request for Exclusion	0	Pcs	\$ 2.000	\$ -	
<b>Claims Processing</b>					<b>\$ 212.50</b>
Receive, Process and Validate Claim Forms	170	Pcs	\$ 1.250	\$ 212.50	

Program Requirements	Estimated Quantity	Units	Per Unit	Cost	Estimated Total
<b>Fund Distribution</b>					<b>\$ 2,363.50</b>
<b>Processing of Checks</b>					
Print and Mail Payment	928	Pcs	\$ 1.950	\$ 1,809.60	
▶ 60# MOCR Bond 8.5" x 11" Check; Top Third Tear-Away					
▶ 45# 8.5" x 11" 1099 MISC					
▶ #10 Window Envelope - Security Tint					
Payment Reissue	28	Pcs	\$ 2.925	\$ 81.90	
<i>Estimate: 3% of check distribution</i>					
Check Clearing	928	Pcs	\$ 0.250	\$ 232.00	
Fund Management / Bank Fees	6	Months	\$ 40.000	\$ 240.00	
<b>Tax Reporting</b>					<b>\$ 700.00</b>
<b>Annual Fee - Qualified Settlement Fund Taxes</b>					
<i>Federal &amp; State Filings</i>					
Quarterly/Annual Payroll Taxes	1	Years	\$ 350.00	\$ 350.00	
<i>Employer/Employee Withholding/Reporting</i>					
<b>Postage<sup>1)</sup></b>					<b>\$ 1,325.09</b>
Postage - Notice Package	928	Pcs	\$ 0.710	\$ 658.88	
Postage - Remails, Notice Package	107	Pcs	\$ 0.710	\$ 75.97	
Postage - BRM Claim Forms Received	170	Pcs	\$ 0.604	\$ 102.68	
Postage - Check Distribution	928	Pcs	\$ 0.510	\$ 473.28	
Postage - Re-issue, Check Distribution	28	Pcs	\$ 0.510	\$ 14.28	
<i>Postage will be invoiced at cost</i>					
<b>Program Management</b>					<b>\$ 4,360.00</b>
Principal Consultant	2	Hours	\$ 150.00	\$ 300.00	
Project Manager	8	Hours	\$ 125.00	\$ 1,000.00	
Technical Consultant	12	Hours	\$ 135.00	\$ 1,620.00	
Support Staff	24	Hours	\$ 60.00	\$ 1,440.00	
<b>Grand Total<sup>2)</sup></b>					<b>\$ 12,879.02</b>



Other Project-Related Costs	Units	Cost
FedEx / UPS Shipments	N/A	At Cost
Photocopies	Per Copy	\$ 0.15
Storage of 1.2 Cubic Foot Boxes	Box/Month	\$ 0.75
Removal and Secured Destruction of 1.2 Cubic Foot Boxes	Per Box	\$ 3.00
Project-Related Materials	N/A	At Cost
Other Case-Related Out-of-Pocket Expenses	N/A	At Cost

Other CAC Services <sup>3)</sup>	Hourly Rate
Principal Consultant	\$ 150.00
Senior Consultant	\$ 140.00
Technical Consultant	\$ 135.00
Project Manager	\$ 125.00
Project Supervisor	\$ 80.00
Support Staff	\$ 60.00

**Notes:**

- 1) Postage is estimated and will be qualified for automation discounts.
- 2) The grand total reflects the estimated quantities of individual tasks performed. Should the actual quantities differ from the estimated quantities of tasks performed, the grand total (billable amount) will reflect such changes. Estimates were based on the assumptions listed above.
- 3) Fees for project-related services, other than what is covered elsewhere in this proposal, will be charged at CAC's standard hourly rate shown above. The above rates are effective as of March 2021. The rates are subject to possible revision on an annual basis, during the contract period, to allow for possible hourly rate changes.

